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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,416	05/05/2006	Andrew Thomas Buscy	1002.11	2426
53953	7590	08/05/2008	EXAMINER	
DAVIS LAW GROUP, P.C. 6836 BEE CAVES ROAD SUITE 220 AUSTIN, TX 78746			TRAN, PHILIP B	
ART UNIT	PAPER NUMBER		2155	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/578,416	<b>Applicant(s)</b> BUSEY, ANDREW THOMAS
	<b>Examiner</b> Philip B. Tran	<b>Art Unit</b> 2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(o).

#### Status

- 1) Responsive to communication(s) filed on 06 May 2008.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-36 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 5/5/06 & 5/6/06
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 11 and 23 are objected to because of the following informalities:

Claim 11 has an extra period mark at the end of the claim.

Claim 23 has an extra period mark at the end of the claim.

Appropriate corrections are required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenblatt et al (Hereafter, Rosenblatt), U.S. Pat. Application Pub. No. US 2004/0199514 A1 in view of Faybishenko et al (Hereafter, Faybishenko), U.S. Pat. No. U.S. Pat. No. 7,099,871 and further in view of Ponce et al (Hereafter, Ponce), U.S. Pat. Application Pub. No. US 2005/0091316 A1.

Regarding claim 1, Rosenblatt teaches a method performed by at least one information handling system, the method comprising: on a display device, displaying an excerpt of information, and displaying a list of folders and in response to a command from a first user, saving the displayed excerpt of the information in a folder that is selected by the first user from among the displayed list of folders (= displaying files and

folders and adding to a list of files and folders for sharing data between a first user and a second user across the network) [see Abstract and Figs. 3B-3D and Paragraphs 0003 & 0016].

Rosenblatt does not explicitly teach an excerpt of information (file) is formatted in XML. However, Faybisenko, in the same field of sharing resources for grouping peers endeavor, discloses sharing resources such as services and files including structured documents like XML files [see Faybisenko, Col. 41, Lines 36-57 and Col. 42, Lines 11-32]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Faybisenko into the teaching of Rosenblatt in order to efficiently transfer bulk data such as XML documents in a World Wide Web environment.

Rosenblatt and Faybisenko do not explicitly teach in response to a command from the first user, selectively enabling access to the selected folder by one or more second users specified by the first user. However, Ponce, in the same field of sharing information in a distributed peer-to-peer network endeavor, discloses selectively sharing data element in a peer-to-peer network and granting access permission to folder when one or more friends are selected (including full control, Read only status, or blocked status) [see Ponce, Abstract and Paragraph 0091]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Ponce into the teaching of Rosenblatt and Faybisenko in order to provide a secured and access controlled peer-to-peer resource sharing of data across the network.

Regarding claims 2-3, Rosenblatt and Faybishenko do not explicitly teach the method of claim 1, wherein the one or more second users is a single second user preselected by the first user and wherein the one or more second users is a group of second users preselected by the first user. However, Ponce, in the same field of sharing information in a distributed peer-to-peer network endeavor, discloses selectively sharing data element in a peer-to-peer network and granting access permission to folder when one or more friends are selected (including full control, Read only status, or blocked status) [see Ponce, Abstract and Paragraph 0091]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Ponce into the teaching of Rosenblatt and Faybishenko for the same reason set forth above in claim 1.

Regarding claims 4-5, Rosenblatt and Faybishenko do not explicitly teach the method of claim 1, wherein selectively enabling access comprises: in response to a command from the first user before and after saving the displayed excerpt, selectively enabling access to the selected folder by one or more second users specified by the first user. However, Ponce, in the same field of sharing information in a distributed peer-to-peer network endeavor, discloses selectively sharing data element in a peer-to-peer network and granting access permission to folder when one or more friends are selected (including full control, Read only status, or blocked status) [see Ponce, Abstract and Paragraph 0091]. It would have been obvious to one of ordinary skill in the

art at the time of the invention was made to incorporate the teaching of Ponce into the teaching of Rosenblatt and Faybishenko for the same reason set forth above in claim 1.

Regarding claim 6, Rosenblatt further teaches the method of claim 1, and comprising: associating other information with the saved excerpt in the folder, so that access to the saved excerpt includes access to the other information [see Paragraphs 0018-0019 and 0048].

Regarding claim 7, Rosenblatt further teaches the method of claim 6, wherein the other information has a non-XML format (music/mp3, pictures/mpeg) [see Paragraph 0058].

Regarding claim 8, Rosenblatt further teaches the method of claim 6, wherein the other information is a human-readable text message (text messaging) [see Paragraphs 0019, 0022-0023 & 0040].

Regarding claim 9, Rosenblatt further teaches the method of claim 6, wherein the other information is a hyperlink to a website (sites) [see Figs. 3B-3D].

Regarding claim 10, Rosenblatt does not explicitly teach the method of claim 1, wherein saving the displayed excerpt comprises: saving the displayed excerpt of the XML-formatted information in an XML format. However, Faybishenko, in the same field

of sharing resources for grouping peers endeavor, discloses sharing resources such as services and files including structured documents like XML files [see Faybisenko, Col. 41, Lines 36-57 and Col. 42, Lines 11-32]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Faybisenko into the teaching of Rosenblatt for the same reason set forth above to claim 1.

Regarding claim 11, Rosenblatt further teaches the method of claim 1, wherein displaying the excerpt comprises: displaying the excerpt of the XML-formatted information in a non-XML format (music/mp3, pictures/mpeg) [see Figs. 3B-3D and Paragraph 0058].

Regarding claim 12, Rosenblatt does not explicitly teach the method of claim 11, wherein the non-XML format is an HTML format. However, HTML data format is known and widely used in Web documents. It would have been obvious to one skilled in the art to implement HTML format in order to enable the definition, transmission, validation and interpretation of data between applications and between organizations in a World Wide Web environment.

Claims 13-24 are rejected under the same rationale set forth above to claims 1-12.

Claims 25-36 are rejected under the same rationale set forth above to claims 1-12.

***Other References Cited***

4. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

- A) Goodman et al, U.S. Pat. No. 7,120,691.
- B) Burton et al, U.S. Pat. No. 7,130,880.
- C) Hilbert et al, U.S. Pat. Application Pub. No. US 2005/0192966 A1.
- D) Phillips et al, U.S. Pat. Application Pub. No. US 2004/0153451 A1.
- E) Bartram et al, U.S. Pat. Application Pub. No. US 2004/0019640 A1.
- F) Zaner et al, U.S. Pat. Application Pub. No. US 2004/0041836 A1.
- G) Fujisawa et al, U.S. Pat. Application Pub. No. US 2003/0145056 A1.

5. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (571) 273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Philip B Tran/  
Primary Examiner, Art Unit 2155  
August 3, 2008